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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 9, 2000

APPLICATION OF

CBEYOND COMMUNICATIONS, LLC

CASE NO. PUC000193

For a certificate of public
convenience and necessity to
provide local exchange
telecommunications services

FINAL ORDER

On June 30, 2000, Cbeyond Communications, LLC ("Cbeyond" or the "Company"), filed an application for a certificate of public convenience and necessity with the State Corporation Commission ("Commission") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

By Order dated August 1, 2000, the Commission directed the Company to provide notice to the public of its application, directed the Commission Staff to conduct an investigation and file a Staff Report, and scheduled a public hearing to receive evidence relevant to Cbeyond's application. Cbeyond filed proof of publication and proof of service as required by the August 1, 2000, Order on September 7, 2000.

On October 18, 2000, the Staff filed its Report finding that Cbeyond's application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone

Service ("Local Rules"). Based upon its review of Cbeyond's application, the Staff determined it would be appropriate to grant the Company a certificate to provide local exchange telecommunications services subject to the following conditions: (1) should the Company collect customer deposits, Cbeyond shall establish and maintain an escrow account held by an unaffiliated third party, notify Staff of the escrow arrangement, and maintain the account until such time as the Staff or Commission determines it is no longer necessary; and (2) the Company shall provide audited financial statements to the Division of Economics and Finance no later than one (1) year from the effective date of Cbeyond's initial tariff.

A hearing was conducted on November 1, 2000. At the hearing, the application and accompanying attachments and the Staff Report were entered into the record without objection. No public witnesses appeared.

NOW THE COMMISSION, having considered the application and the Staff Report, finds that the Company should be granted a certificate to provide local exchange telecommunications services.

Accordingly, IT IS ORDERED THAT:

(1) Cbeyond Communications, LLC, is hereby granted a certificate of public convenience and necessity, No. T-518, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Offering

of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) Should the Company collect customer deposits, it shall establish and maintain an escrow account, held by an unaffiliated third party, to hold such funds, and shall notify the Division of Economics and Finance of the escrow arrangement. Any escrow arrangement established pursuant to this Order shall be maintained for such time as the Staff or Commission determines it is necessary.

(3) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(4) The Company shall provide audited financial statements to the Division of Economics and Finance, no later than one (1) year from the effective date of Cbeyond's initial tariff.

(5) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.